

MEMORANDUM

TO: Town of Middletown

FROM: 301 West Ventures, LLC (the "Applicant")

RE: PLUS comments regarding proposed rezoning of Kohl Property

This memorandum is written to respond to the PLUS comments provided by the Office of State Planning Coordination by letter dated September 14, 2004 concerning the proposed rezoning of the Kohl Property, tax parcel no. 23-022.00-002.

The comments essentially focused on one issue: would the proposed rezoning leave the Town with enough land zoned for uses that would attract employment and employers, other than commercial zoning and retail employment?

In response to the questions raised in the letter, we revised our original rezoning concept. Originally, when presented to PLUS, we had envisioned rezoning the entire 98-acre tract from MI to C-3 zoning. However, as a result of the PLUS comments, that concept has been modified. Instead, we seek to rezone 78+/- acres to C-3 and 20+/- acres to the Town's new Office zoning designation. The Office zoning will provide the potential for a substantial office park that could house a major employer. As suggested by the State's letter, we will make sure that this property is included in the State's databases used to attract job creation businesses.

The State's letter also raised questions about competition with existing commercially-zoned properties and what effect newly-zoned commercial property may have, including whether any newly-zoned property might adversely impact the downtown revitalization program. While we believe that the growth projected for the west side of Middletown, including Westtown, South Ridge, the Estates at Saint Annes, and other residential projects can more than support the new commercial zoning, these are essentially policy questions for the Town. We also note again, of course, that we did reduce the amount of commercial zoning requested.

We look forward to answering any questions the Town may have concerning our rezoning request.